

IMPORTANT FACTS RELATING TO THIS PROPOSAL

You should read the following advice before proceeding to complete this proposal

1. Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of insurance, and if so, on what terms.

You have the same duty to disclose those matters to the insurer before you renew, extend, vary or reinstate a contract of general insurance.

Your duty, however, does not require disclosure of any matter:

- that diminishes the risk to be undertaken by the insurer;
- that is of common knowledge;
- that your insurer knows or, in the ordinary course of his business, ought to know;
- as to which compliance with your duty is waived by the insurer.

Non-disclosure

If you fail to comply with your duty of disclosure, the insurer may be entitled to reduce its liability under the contract in respect of a claim, refuse to pay the claim or may cancel the contract. If your non-disclosure is fraudulent, the insurer may also have the option of avoiding the contract from its beginning.

2. This Directors & Officers Insurance Policy is issued on a claims made and notified basis

This means that the policy responds to claims first made against you during the policy period and notified to the insurer during that policy period.

The policy does not respond to any claim arising out of facts or circumstances of which you were aware at any time prior to the policy period which would have put a reasonable person in your position on notice that a claim may be made against you. (Some cover may be available under the Continuous Cover extension for innocent non-disclosure of facts and circumstances – but only if you are continuously insured under a directors & officers insurance policy issued by Allied World Assurance Company, Ltd from the time when you first become aware of such facts or circumstances to the time when you notify a claim arising from those facts and circumstances to Allied World Assurance Company, Ltd).

The policy does not respond to any claim resulting from an act, error or omission occurring or committed by you prior to the retroactive date, where a retroactive date is specified in the policy terms which are offered to you.

Once the policy period has expired, no notification of claims or facts or circumstances can be made on the policy even though:

- (a) the event giving rise to the claim against you may have occurred during the policy period.
- (b) you may have first become aware of the facts or circumstances giving rise to the claim during the policy period.

3. Completing Your Proposal

When completing your proposal you are obliged to report and provide full details of all facts or circumstances which have become known to you and which would put a reasonable person in your position on notice that a claim may be made against you.

This is important so as to ensure:

- (a) if you are currently insured with Allied World Assurance Company, Ltd, and you notify such facts or circumstances prior to the expiry of the policy, that you are covered under your current policy in respect of any claim arising out of those facts or circumstances; and
- (b) that you make proper disclosure (refer 'Duty of Disclosure' pursuant to the Insurance Contracts Act) in order that your entitlement to full indemnity under your new policy is not placed in jeopardy.

Note:

- Please answer ALL questions and tick boxes whenever appropriate. If there is insufficient space, please provide details on separate sheet and attach to this proposal form.

GENERAL DETAILS

1. Full Name of Company

2. Address of Principal Office

3. Place of Incorporation

4. Date of Establishment / Incorporation (DD/MM/YYYY)

5. Nature of Business of the Company and its subsidiaries

6. Is the Company a subsidiary of another company?

Yes No

If 'Yes', please provide details:

7. During the past five years, has:

(a) the name of the Parent Company been changed?

Yes No

(b) any acquisitions, mergers or asset disposal taken place?

Yes No

(c) the capital structure of the Parent Company changed?

Yes No

If 'Yes', please provide details:

8. Is the Company:

(a) considering any acquisitions, mergers or asset disposal pending or under consideration?

Yes No

(b) intending a new public offering of securities within the next 12 months?

Yes No

If 'Yes' in either case, please provide details:

9. Is the Company:

(a) private?

Yes No

(b) public?

Yes No

(c) listed on Hong Kong Stock Exchange?

Yes No

(d) listed on Foreign Stock Exchanges?

Yes No

(e) listed on the Unlisted Securities Market?

Yes No

If 'Yes' in either case, please provide details:

10. Please list:

(a) total number of shareholders	
(b) total number of shares issued	
(c) total number of shares held by Directors and Officers (both direct and beneficial)	
(d) name and percentage of any shareholder owning 5% or more of the Ordinary Share Capital of the Company.	

11. Please provide details of any change to the list of Directors and Officers given in the Company's last Annual Report and Accounts.

12. Does the Company or any of its subsidiaries:

(a) represent in any way in North America?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) have any stock, shares or debentures in North America?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(c) have any debt or equity instruments or commercial paper in North America?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If 'Yes', please provide details:

CLAIMS DETAILS

13. Has any claim ever been made against any past or present director or officer of the Company or of its subsidiaries? Yes No

If 'Yes', please provide details:

14. Is any director or officer, **after enquiry**, aware of any circumstances which might give rise to a claim against any past or present director or officer of the Company? Yes No

If 'Yes', please provide details:

15. Has any past or present director or officer of the Company ever been declared bankrupt, had any fine or penalty imposed or been subject to any enquiry in their capacity as a director or officer of the Company? Yes No

If 'Yes', please provide details:

INSURANCE DETAILS

16. Does the Company or any Director or Officer presently have any Directors and Officers Liability Insurance in force? Yes No

If 'Yes', please provide details:

Insurer	Limit of Liability	Deductible	Expiry Date (DD/MM/YYYY)

17. Has any insurance company in respect of the risks to this proposal relates ever:

(a) declined a proposal, refused renewal terminated an insurance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) required an increased premium or imposed special condition?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If 'Yes' in either case, please provide details:

18. Application of Insurance Cover

(a) Limit of Indemnity Required HK\$ _____
 (b) Amount of Deductible / Excess HK\$ _____

(c) Is cover required for any outside directorships held in any outside company with the knowledge and consent or at the request of the company? Yes No

Name of Director / Officer	Name of Outside Company	Position held in Outside Company	Nature of Business of Outside Company

DECLARATION

I / We warrant that the above statements made by me / us or my / our behalf are true and complete and I / We agree that this proposal together with any other information supplied shall be the basis of and are considered as incorporated within the policy between me / us and the Company. I / We agree to accept a policy in the Company's usual form for this class of insurance.
 I do not want to receive any promotion materials or updates on other products, services or offers of Allied World.

SIGNATURE

SIGNATURE _____ DATE (DD/MM/YYYY) _____

ON BEHALF OF (INSERT NAME OF THE COMPANY)

Personal Information Collection Statement

Purpose of Collection

Allied World Assurance Company, Ltd ("Allied World") may collect and use your personal data to enable it to carry on its insurance business and to serve the purposes of:

- Processing your insurance application;
- Arranging a contract of insurance with you and administering the policy issued;
- Claims handling, investigation and analysis;
- Designing products and/or services for customers;
- Promoting, improving and furthering the provision of products and/or services by Allied World and its group companies; and
- Complying with any legal or regulatory requirements applicable to Allied World.

In general it is voluntary for you to provide Allied World with your personal data. However, if you do not provide sufficient information, Allied World may not be able to provide insurance services to you.

Transferee

Data held by Allied World relating to you will be kept confidential but Allied World may, for the purposes set out above, transfer your personal data to:

- Allied World's group companies;
- Reinsurers;
- intermediaries including insurance brokers and insurance agents;
- claims investigators, loss adjusters and other professional advisors;
- Allied World's other appointed service providers, including for the following services: telecommunications, information technology, administration, data processing, payment processing, emergency assistance, legal, and medical;
- any insurance industry association or federation and their respective members; and
- any other person necessary to comply with applicable legal or regulatory requirements, or orders of competent authorities, in each case both within and outside of the Hong Kong Special Administrative Region.

Marketing and Promotion

Treating you as a valued customer, Allied World and its group companies may use the personal data, including name and contact details, collected from you for the purposes of direct marketing of Allied World and its group companies' general insurance products, services or offers and for sending you the promotional materials or updates of such products, services or offers when they become available.

Allied World may not use your personal data for direct marketing if you have indicated objection to such use by ticking the box next to the statement above the proposer's signature block in the proposal form. You may also, at any time, request Allied World to cease the use of your personal data for direct marketing purposes, by informing Allied World's Compliance Officer at the contacts set out below.

Access Requests and Corrections

You have the right to obtain access to and to request correction of any personal information concerning yourself held by Allied World. Requests can be made to the Compliance Officer of Allied World Assurance Company, Ltd, by mail to 22/F One Island East, Taikoo Place, 18 Westlands Road, Quarry Bay, Hong Kong or fax to +852 2968 5111, or email to hkcompliance@awac.com.